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REMARKS

The Applicant would like to thank the Examiner for the analysis contained in the Examination Report dated April 21, 2004. In particular, the Applicant would like to thank the Examiner for noting that claims 13-17 are allowed. The Applicant also thanks the Examiner for indicating that while claims 3-5 and 7-11 are rejected as dependent from rejected claim 1, claims 3-5 and 7-11 would be allowable if rewritten in independent form incorporating all limitations of the rejected base claim and any intervening claim(s). In response and at this time, however, the Applicant elected to address the rejection of claim 1, 2, 6 and 12 rather than to rewrite claims 3-5 and 7-11 in independent form as it is the belief of the Applicant that the scope of the present invention is better represented by claim 1 than by the narrower claims resulting from rewriting of claims 3-5 and 7-11.

Therefore considering the rejection of claims 1, 2, 6 and 12 under 35 U.S.C. § 102(b), as being anticipated by U.S. Patent No. 3,784,124 to Shumate et al. for a Fishing Reel, hereafter referred to as Shumate et al. '124, the Applicant acknowledges and respectfully traverses the raised anticipatory rejection in view of the following remarks.

Shumate et al. '124 clearly teaches that a spool 14 will be contained in a cavity in a housing 12 formed with a cylindrical side wall 19 wherein the cavity is completely enclosed at one end by an end wall 20 that is part of the housing 12 and is completely enclosed at the opposite end by a housing end 13. In addition, the spool 14 is mounted into the cavity by an axle that extends completely through housing end 13, the spool 14 and the end wall 20 and that is formed as part of spool handle 29.

In fundamental contrast from the teachings of Shumate et al. '124, and as recited in claims 1 as amended herein above, the reel of the present invention includes a body having a circular spool receiving cavity of a first diameter that extends through the body from a first end of the body to a second end of the body and that is defined solely by a peripheral sidewall of the body. The body further includes an annular spool supporting surface that projects inward from the peripheral sidewall at the second end of the cavity to define a central opening that is

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concentric with the cavity and that is of a second diameter that is less than the first diameter, so that the spool supporting surface retains the spool in the cavity at the second end of the body while providing an essentially open second end at the second end of the body. The body further includes a spool receiving opening at the first end of the cavity wherein the spool receiving opening is of the first diameter, so that the first end of the cavity is essentially completely open.

As further recited in claim 1 as amended herein above, neither the spool nor the body includes an axle to support the spool in the cavity. Instead the spool is an axle-less annular spool that is positioned and rotatably supported within the cavity solely by the spool supporting surface of the body.

In summary, therefore, the reel of the present invention is fully and patentably distinguished over and from the reel taught by Shumate et al. '124 by being essentially fully open at both ends, because the body of the reel does not have end walls, and by not employing an axle through the spool and reel housing to support the spool in the reel but instead supporting the spool in the body solely by means of the peripheral wall of the reel body.

The reel of the present invention, as recited in amended claim 1, is thereby fully and patentably distinguished over and from the teachings of Shumate et al. '124 by providing a reel having a fundamental different structure from that of the Shumate et al. '124 reel but, as a result, addresses and overcomes the line tanglement problems associated with the Shumate et al. '124 type reel.

It is, therefore, the belief and position of the Applicant that, for the reasons discussed above, claim 1 as amended herein above is fully and patentably distinguished over and from the teachings of Shumate et al. '124 under the requirements and provisions of 35 U.S.C. § 102, and of 35 U.S.C. § 103. The Applicant, therefore, respectfully requests that the Examiner reconsider and withdraw the rejection of claim 1 under 35 U.S.C. § 102, and allow claim 1 as amended.

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It is still further the belief and position of the Applicant that for the reasons discussed above, and because claims 2, 6 and 12 are dependent from claim 1 and thereby incorporate all recitations and limitations of claim 1, claims 2, 6 and 12 are, likewise, now fully and patentably distinguished over and from the teachings of Shumate et al. '124 under the requirements and provisions of 35 U.S.C. §§ 102 and 103. The Applicant therefore respectfully requests that the Examiner reconsider and withdraw the rejections of claims 2, 6 and 12 under 35 U.S.C. § 102, and allow claims 2, 6 and 12 as well.

Lastly, it will be noted that the Applicant entered an alternately version of claim 1 as new independent claim 18, which is directed to the same subject matter as claim 1, and new dependent claims 19 and 20, which are dependent from claim 18 and correspond to previously submitted claims 7 and 10.

It may be further seen from the above discussions of the claim amendments that the amendments to claim 1 and the addition of new claims 18, 19 and 20 does not added any new matter to the present Application.

If any further amendment to this application is believed necessary to advance prosecution and place this case in allowable form, the Examiner is courteously solicited to contact the undersigned representative of the Applicant to discuss the same.

In view of the above amendments and remarks, it is respectfully submitted that all of the raised rejections should be withdrawn at this time. If the Examiner disagrees with the Applicant's view concerning the withdrawal of the outstanding rejections or applicability of the Shumate et al. '124 reference, the Applicant respectfully requests the Examiner to indicate the specific passage or passages, or the drawing or drawings, which contain the necessary teaching, suggestion and/or disclosure required by case law. As such teaching, suggestion and/or disclosure is not present in the applied references, the raised rejection should be withdrawn at this time. Alternatively, if the Examiner is relying on his/her expertise in this field, the Applicant respectfully requests the Examiner to enter an affidavit substantiating the

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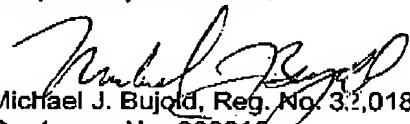
Examiner's position so that suitable contradictory evidence can be entered in this case by the Applicant.

In view of the foregoing, it is respectfully submitted that the raised rejection(s) should be withdrawn and this application is now placed in a condition for allowance. Action to that end, in the form of an early Notice of Allowance, is courteously solicited by the Applicant at this time.

The Applicant respectfully requests that any outstanding objection(s) or requirement(s), as to the form of this application, be held in abeyance until allowable subject matter is indicated for this case.

In the event that there are any fee deficiencies or additional fees are payable, please charge the same or credit any overpayment to our Deposit Account (Account No. 04-0213).

Respectfully submitted,



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